

PATENT
Attorney Docket No. 05725.0806

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Carlos O. PINZON et al.) Group Art Unit: 1711
Application No.: 09/733,896) Examiner: Nathan M. NUTTER
Filed: December 12, 2000)
For: COMPOSITIONS COMPRISING) Confirmation No.: 5467
HETEROPOLYMERS AND AT)
LEAST ONE OIL-SOLUBLE)
POLYMER CHOSEN FROM ALKYL)
CELLULOSES AND ALKYLATED)
GUAR GUMS (AS AMENDED))

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal, S.A. ("Assignee"), duly organized under the laws of France and having its principal place of business at 14, rue Royale, 75008, Paris, France, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 09/733,896, filed December 12, 2000 for COMPOSITIONS COMPRISING HETEROPOLYMERS AND AT LEAST ONE OIL-SOLUBLE POLYMER CHOSEN FROM ALKYL CELLULOSES AND ALKYLATED GUAR GUMS (as amended) in the names of Carlos O. PINZON and Paul THAU, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 011765, Frame 0183 on April 26, 2001.

Assignee further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application No. 09/733,897, in the names of Carlos O. PINZON and Paul THAU for COMPOSITIONS CONTAINING HETEROPOLYMERS AND METHODS OF USING SAME, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 011646, Frame 0966 on April 4, 2001.

Assignee further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application No. 09/733,898, in the names of Carlos O. PINZON, Paul THAU, and Isabelle BARA (as amended) for COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE ESTERS AND METHODS OF USING SAME, as indicated by the assignments duly recorded in the United States Patent and Trademark Office at Reel 011654, Frame 0869, on April 2, 2001, and Reel 014611, Frame 0837, on October 21, 2003.

Assignee further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application No. 10/129,377, in the name of Véronique FERRARI for COMPOSITION STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM AND AN ORGANOCELLULATOR, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 014643, Frame 0199, on October 16, 2003.

Assignee further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 7,008,629, which issued from Application No. 10/198,931, in the name of Mohamed KANJI for COMPOSITION COMPRISING AT LEAST ONE HETEROPOLYMER AND FIBERS, AND METHODS OF USING THE

SAME, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 013410, Frame 0044, on October 21, 2002.

Assignee further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application No. 10/203,254, in the names of Véronique FERRARI, Carlos O. PINZON, and Paul THAU for COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 013607, Frame 0258, on December 20, 2002.

Assignee further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,761,881, in the name of Isabelle BARA for TRANSPARENT OR TRANSLUCENT COSMETIC COMPOSITIONS COLORED BY PIGMENTS, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 013354, Frame 0392 on August 9, 2002.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Application Nos. 09/733,897; 09/733,898; 10/129,377; and 10/203,254; and U.S. Patent Nos. 6,761,881 and 7,008,629, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent applications and patents are

commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of prior patents and/or any patents granted for any patent applications listed above, as presently shortened by any terminal disclaimer, in the event that the prior patents and/or patents granted for any patent applications listed above later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or in part, are terminally disclaimed under 37 C.F.R. § 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 2, 2006

By: Erin C. DeCarlo
Erin C. DeCarlo
Reg. No. 51,688